



Southeast Fishery Bulletin

National Marine Fisheries Service, Southeast Regional Office, 263 13th Avenue South, St. Petersburg, Florida 33701

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NOAA FISHERIES SERVICE ANNOUNCES THE PUBLICATION OF A NEW RULE TO END OVERFISHING AND REBUILD GREATER AMBERJACK AND GRAY TRIGGERFISH STOCKS *Small Entity Compliance Guide*

NOAA's National Marine Fisheries Service (NOAA Fisheries Service) published a final rule implementing the approved regulatory actions to end overfishing and rebuild greater amberjack and gray triggerfish in the Gulf of Mexico. The rule becomes effective **August 4, 2008**.

The most recent assessments for these species indicate reductions in harvest are needed to end overfishing and allow the stocks to recover within each species' respective rebuilding schedule. For 2008, the overall harvest of greater amberjack needs to be reduced by 32 percent, and for gray triggerfish, reduced by at least 49 percent. To ensure these targets are met, the rule includes annual catch limits (ACLs) and accountability measures (AMs) for these species. These measures are outlined in Amendment 30A to the Fishery Management Plan (FMP) for the Reef Fish Resources of the Gulf of Mexico (Amendment 30A) submitted by the Gulf of Mexico Fishery Management Council. The final rule was published in the *Federal Register* on July 3, 2008.

Elements of the Rule

For greater amberjack, the rule:

- Establishes ACLs and AMs that can use inseason adjustments for the recreational and commercial sectors.
- Increases the recreational minimum size limit to 30 inches fork length (FL).
- Sets the bag limit for captain(s) and crew of for-hire vessels at zero.
- Establishes a greater amberjack commercial fishery quota of 0.503 million pounds (mp) and a recreational fishery quota of 1.368 mp.

For gray triggerfish, the rule:

- Establishes ACLs and AMs that use average annual landings for the recreational sector and inseason adjustments for the commercial sector.
- Increases the gray triggerfish recreational and commercial size limit to 14 inches FL.
- Establishes a gray triggerfish commercial quota of 80,000 pounds for 2008, 93,000 pounds for 2009, and 106,000 pounds for 2010.

Accountability Measures and Annual Catch Limits

The rule addresses the Magnuson-Stevens Fishery Conservation and Management Act requirements that ACLs and AMs be in place by 2010 for stocks undergoing overfishing. ACLs and AMs work together as a system to ensure that overfishing will not occur. The ACL must be set "at a level such that overfishing does not occur in the fishery." AMs are management measures established with ACLs to end and prevent overfishing.

Accountability measures for both species give the NOAA Fisheries Service Assistant Administrator (AA) the authority to shorten the fishing season for a sector should landings go over the ACLs. For greater amberjack, the AA has the authority to shorten the season within the fishing year and in the following year if ACLs are exceeded or are projected to be exceeded. For gray triggerfish, the recreational AM provides the AA the authority to shorten the fishing year in the following year if the ACL is exceeded, while the commercial AM gives the AA the authority to shorten the fishing season within the fishing year and in the following year if the commercial ACL is exceeded. Gray triggerfish ACLs are defined as multi-year running average landings, with exception of the first year which would use only 2008 landings.

This bulletin serves as a Small Entity Compliance Guide, complying with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996. This bulletin provides only a summary of the information about the rule. Discrepancies between this bulletin and the rule as published in the *Federal Register* will be resolved in favor of the *Federal Register*.

Copies of the final rule are available by contacting NOAA Fisheries Service's Southeast Regional Office at 263 13th Avenue South, St. Petersburg, Florida 33701. The final rule can be obtained in electronic form from the *Federal Register* Web site: <http://www.gpoaccess.gov/fr/index.html> (use advanced search for final rules using "AV34" as a keyword).

How Can We Improve These Fishery Bulletins?

If you have any suggestions on how we may improve the contents of future fishery bulletins, please contact:
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If you would like to receive these fishery bulletins via e-mail as soon as they are published, please e-mail us at the address below. You will still receive a print copy of these bulletins through the mail. E-mail SERO.Communications.Comments@noaa.gov and include: (1) "Request for Electronic Fishery Bulletins" in the subject line and (2) your preferred e-mail address in the body of the e-mail.

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